

## FARGO CITY COMMISSION AGENDA

Monday, April 4, 2022 - 5:00 p.m.

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at [www.FargoND.gov/streaming](http://www.FargoND.gov/streaming). They are rebroadcast Mondays at 5:00 p.m., Thursdays at 7:00 p.m. and Saturdays at 8:00 a.m. They are also included in the video archive at [www.FargoND.gov/citycommission](http://www.FargoND.gov/citycommission).

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, March 21, 2022).

### **CONSENT AGENDA – APPROVE THE FOLLOWING:**

- 1. 2nd reading and final adoption of an Ordinance Rezoning Certain Parcels of Land Lying in Legacy I Seventh Addition; 1st reading, 3/21/22.
- 2. Receive and file Summons in the matter of David Swanson, as Personal Representative of the Estate of Amy Swanson, deceased vs. Trax Entertainment Group, Ltd. f/k/a Jam Theatricals, Ltd., City of Fargo and Fargo Dome Authority.
- 3. Resolution Establishing Massage Therapy Establishment Requirements and Fee.
- 4. Gaming Site Authorizations Jon Greenley Amvets Post #7 at Amvets and Hi-Ho Burgers and Brews.
- 5. Applications for Games of Chance:
  - a. El Zagal Provost Gaming for a sports pool from 9/22 to 1/23.
  - b. ND Pottery Collectors Society for a raffle on 6/11/22; Public Spirited Resolution.
  - c. Fargo Lions for a sports pool from 9/12/22 to 1/9/23.
  - d. TNT Kid's Fitness for a raffle on 4/7/22.
  - e. YWCA Cass Clay for a raffle on 4/25/22.
  - f. Essentia Health Fargo Foundation for a raffle board on 5/3/22.
  - g. St. John Paul II Catholic Schools for a raffle on 4/30/22.
  - h. Fargo Youth Baseball for a raffle on 4/9/22.
- 6. Purchase of Agenda and Meeting Management Software.
- 7. Bid award for Project No. TM-22-A1.
- 8. Bid advertisement of Project No. FM-22-C.
- 9. Amended Memorandum of Offer to Landowner for Permanent Easement (Levee and Retaining Wall for Flood Control), Permanent Easement (Storm Sewer) and Easement (Temporary Construction Easement) with Jessica L. and Darrell R. Johnson (Project No. FM-19-C).
- 10. Encroachment Agreement with the Dakota Boys and Girls Ranch Foundation.

11. Farm Lease (Oak Grove) with Chad Johnson and Kyle Johnson for property at 5636, 5638, 6054 and 6056 Veterans Boulevard South.
12. Access Easement (Storm Sewer Easement) with Southeast Cass Water Resource District.
13. Sole Source Procurement with Automated Maintenance Services, Inc. for 3rd floor janitorial services at City Hall (RFP21014B).
14. Agreement for Professional Services with KLJ Engineering, LLC for the GTC Elevator Modernization and the Municipal Court Reroofing Projects (SSP22063).
15. Notice of Grant Award with the ND Department of Emergency Services-Division of Homeland Security for FY 2021 Homeland Security Grant Program (CFDA #97.067).
16. Sole Source Procurement with Grand Forks Fire Equipment for the purchase of self-contained breathing apparatus, a new fill station and Mako breathing air system (SSP22065 a and b).
17. Contractor Agreement with SOCO Consulting, LLC and SurryStone Resources, LLC.
18. Resolution Approving Plat of Industrial Subdivision Number 5.
19. Bid award for two automated side load refuse trucks (RFP23001).
20. Bid award for two hook hoist refuse bodies (RFP23002).
21. Change Order No. 2 for an increase in the amount of \$2,470.00 for the Metro Transit Garage Hoist Installation Project (RFQ21072).
22. Sole Source Procurement with Filmtec Corporation for the Effluent Reuse Facility Ultrafiltration Membranes (SSP22064).
23. Agreement for Cost-Share Reimbursement Fargo Regional Water System Distribution Extensions Project with the State of ND through the State Water Commission.
24. Contract and bond for Project No. UR-21-A1.
25. Bills.
26. Amended Engineer's Report for Improvement District No. BN-22-K.
27. Permanent Easement (Street and Utility) with J-Street Properties, LLC (Improvement District No. BN-22-L1).
28. Bid awards for the following Improvement Districts:
  - a. No. PR-22-F1.
  - b. No. TN-22-A1.
29. Create the following Improvement Districts:
  - a. No. BN-22-L.
  - b. No. PN-22-A.
  - c. No. UN-22-M.
30. Contract and bond for Improvement District No. PR-22-E1.

## REGULAR AGENDA:

31. **RESIDENT COMMENTS** (Fargo residents will be offered 2.5 minutes for comment with a maximum of 30 minutes total for all resident comments. Residents who would like to address the Commission, whether virtually or in person, must sign-up at [FargoND.gov/VirtualCommission](http://FargoND.gov/VirtualCommission)).
32. **\*Public Input Opportunity\* - PUBLIC HEARINGS - 5:15 pm:**
  - a. Metropolitan Park Third Addition (4400 Calico Drive and 4455 30th Avenue South); approval recommended by the Planning Commission on 3/1/22:
    1. Zoning Change from LC, Limited Commercial and MR-3, Multi-Dwelling Residential to MR-3, Multi-Dwelling Residential with a PUD, Planned Unit Development Overlay.
    2. 1st reading of rezoning Ordinance.
    3. Plat of Metropolitan Park Third Addition.
    4. Planned Unit Development Master Land Use Plan.
  - b. Rocking Horse Farm Sixth Addition (5801 52nd Avenue South); approval recommended by the Planning Commission on 2/1/22:
    1. Growth Plan Amendment on the proposed Rocking Horse Farm Sixth Addition from Commercial to Public and Institutional.
    2. Zoning Change from AG, Agricultural to P/I, Public and Institutional.
    3. 1st reading of rezoning Ordinance.
    4. Plat of Rocking Horse Farm Sixth Addition.
  - c. Application filed by Dakota Specialty Milling, Inc. for a Payment in Lieu of Tax Exemption for a project to be located at 1430 41st Street North which the applicant will use for an addition to the existing building to expand their operation, which includes agricultural processing.
33. Recommendation to approve the Credit Agreement with Bank of North Dakota for financing associated with the local cost-share for Series C work on the Red River Valley Water Supply Project.
34. Recommendation to authorize appropriate staff to negotiate an agreement with the ND Soybean Processors and Cass Rural Water Users District for water and wastewater services.
35. Recommendation to amend the Master Services Agreement with Innowatts, Inc. for the development and operation of an ICRSR Plan and Carbon Dashboards for City Facilities.
36. Update on Affordable Housing Properties.
37. Recommendation to accept the offer from the Kilbourne Group for the purchase of 419 3rd Street North and to direct staff to draft a Development Agreement.
38. Applications for Property Tax Exemptions for Improvements Made to Buildings:
  - a. David and Brittany Piper, 2825 Maple Street North (5 year).
  - b. Shaun Anderson and Jasmine Swinland, 1524 11th Avenue South (5 year).
  - c. James and Caryn Neary, 2915 32nd Street South (5 year).
39. Appointments to the Community Development Committee.

People with disabilities who plan to attend the meeting and need special accommodations should contact the Commission Office at 701.241.1310 at least 48 hours before the meeting to give our staff adequate time to make arrangements.

Minutes are available on the City of Fargo website at [www.FargoND.gov/citycommission](http://www.FargoND.gov/citycommission).